



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 1020-0501

Application of: **David C. May**

Group Art Unit: 1771

Serial No. 009/166,625

Examiner: **To be assigned.**

Filed: **October 5, 1998**

For: **Highly Drapable Protective Cover Having Ultrathin Non-Woven Absorbent Layer**

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the **Notice to File Missing Parts of Application—Filing Date Granted** dated October 26, 1998. Applicant submits the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Copy of the Notice to File Missing Parts of Application;
2. Executed Declaration and Power of Attorney;
3. Executed Verified Statement (Declaration) Claiming Small Entity Status-Independent Inventor
4. Executed Verified Statement (Declaration) Claiming Small Entity Status-Small Business Concern
5. Return Postcard; and
6. Check for \$65.00 to cover the surcharge for late filing of Declaration (37 C.F.R. § 1.16)

**Certificate of Mailing**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

on November 18, 1998  
(Date of deposit)

Typed or printed name of person signing this certificate

Bradford G. Addison

Signature Bradford G. Addison

As noted above, Applicant is Submitting herewith a Verified Statement Claiming Small Entity Status. Hence, the surcharge for late filing of Declaration for a Small Entity as specified under 37 C.F.R. § 1.16 is being submitted herewith.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency or credit any overpayment, to our Deposit Account No. 13-0014. If extensions of time under 37 C.F.R. § 1.136 are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 13-0014.

Respectfully submitted,

Bradford G. Addison

Bradford G. Addison  
Attorney for Applicant  
Registration No. 41,486

November 18, 1998  
Maginot, Addison & Moore  
Bank One Center/Tower  
111 Monument Circle, Suite 3000  
Indianapolis, IN 46204-5130  
(317) 638-2922

Applicant or Patentee: David C. May Attorney Docket No: 1020-0501  
Appl. or Patent No.: 09/166.625  
Filed or Issued: October 5, 1998  
For: HIGHLY DRAPABLE PROTECTIVE COVER HAVING ULTRATHIN NON-WOVEN  
ABSORBENT LAYER

**Verified Statement (Declaration) Claiming Small Entity Status**  
**(37 C.F.R. §§ 1.9(c) and 1.27(b)) - Independent Inventor**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 C.F.R. § 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, with regard to the invention entitled HIGHLY DRAPABLE PROTECTIVE COVER HAVING ULTRATHIN NON-WOVEN  
ABSORBENT LAYER described in

☐ the specification filed herewith  
☒ application no. 09/166.625, filed October 5, 1998  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 C.F.R. § 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

Each person, concern or organization to which I have assigned, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

☐ no such person, concern, or organization  
☒ persons, concerns or organizations listed below\*

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27)

NAME D.C. May Corporation  
ADDRESS 215 Morris Street, Durham, North Carolina 27702  
( ) INDIVIDUAL ( X ) SMALL BUSINESS CONCERN ( ) NONPROFIT ORGANIZATION

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
( ) INDIVIDUAL ( ) SMALL BUSINESS CONCERN ( ) NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

David C. May  
Name of Inventor

  
Signature of Inventor

Date: 11-12-98

November 18, 1998

PLEASE RETURN THIS CARD

Response to Notice to File Missing Parts for Patent Application for:  
**Highly Drapable Protective Cover Having Ultrathin Non-Woven  
Absorbent Layer**

Serial No. 09/166,625

Filed: October 5, 1998

Applicant: David C. May

Our Docket No. 1020-0501



DOCKETED  
*May*

Includes

- ☒ Copy of the Notice to File Missing Parts
- ☒ Executed Declaration and Power of Attorney
- ☒ Executed Verified Statement Claiming Small Entity Status- Inventor
- ☒ Executed Verified Statement Claiming Small Entity Status- Small Business
- ☒ Check in the amount of \$65.00

RECEIVED  
SEP -2 1999  
TC 1700 MAIL ROOM



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
037166,625	10/05/98 MAY		D 1020-0501

MAGINOT ADDISON & MOORE  
BANK ONE CENTER/TOWER  
111 MONUMENT CIRCLE SUITE 3000  
INDIANAPOLIS IN 46204

0262/1026

NOT ASSIGNED

1771

DATE MAILED: 10/26/98

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☐ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☐ non-small entity is \$ 20.

- ☐ 1. The statutory basic filing fee is:  
☐ missing.  
☐ insufficient.

Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. Additional claim fees of \$ \_\_\_\_\_, including any multiple dependent claim fees, are required.

\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$ \_\_\_\_\_ for \_\_\_\_\_ dependent claims over 20.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

11/27/1998  
01 FC:295

- ☒ 3. The oath or declaration:  
☒ is missing or unexecuted.  
☐ does not cover the newly submitted items.  
☐ does not identify the application to which it applies.  
☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).  
☐ 7. Your filing receipt was mailed in error because your check was returned without payment.  
☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE